

HOUSE BILL 2328

By Camper

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 58; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9, relative to tuition at public institutions of higher education.

WHEREAS, the State of Tennessee understands the value of education and the right of all students to have equal opportunity and access; and

WHEREAS, the State of Tennessee has recognized the vital importance of increasing high school graduation rates and the enrollment of our graduates in institutions of higher education and higher education graduation rates; and

WHEREAS, the State of Tennessee faces an increasing need for an educated workforce to remain competitive in the global economy and needs to take advantage of the human resources available within the state; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. There is established a pilot project for the purposes of increasing enrollment in and graduation from public institutions of higher education in Tennessee by expanding in-state tuition rates to students who meet the criteria established in Section 3 of this act.

SECTION 2. The pilot project shall be established in the three (3) public institutions of higher education in Shelby County, which are:

- (1) The University of Memphis;
- (2) Southwest Tennessee Community College; and
- (3) Tennessee College of Applied Technology Memphis.

SECTION 3. Upon acceptance into one (1) of the public institutions listed in Section 2, an individual without lawful immigration status may pay in-state tuition rates, if:

(1) The individual meets the following criteria:

(A) Attended high school in Tennessee for two (2) or more years;

(B) Graduated from a Tennessee high school or attained the equivalent thereof; and

(C) Is registered as an entering student or is enrolled at a public institution of higher education in Tennessee; and

(2) The individual files an affidavit with the institution of higher education stating that the individual has filed an application to legalize the individual's immigration status, or will file such an application as soon as the individual is eligible to do so.

SECTION 4. Non-immigrants who are in the United States as students or trainees, within the meaning of 8 U.S.C. §§ 1101(a)(15)(F), (a)(15)(H)(iii), (a)(15)(J) or (a)(15)(M), shall not be exempt from paying out of state tuition.

SECTION 5. Information obtained in the implementation of this act is confidential. An institution of higher education that receives an affidavit described in Section 3(2) shall treat the affidavit as an education record of the student under the federal Family Educational Rights and Privacy Act of 1974, codified in 20 U.S.C. § 1232g.

SECTION 6. The three (3) institutions in the pilot project established by this act shall report annually on February 1 to the board of regents, the speaker of the senate, the speaker of the house of representatives, and the chairs of the education committees of the senate and house of representatives.

SECTION 7. Tennessee Code Annotated, Section 4-58-110, is amended by adding the following as a new, appropriately designated subdivision:

(5) An individual applying for in-state tuition rates under the pilot project authorized in Sections 1-6 of this act.

SECTION 8. This act shall take effect July 1, 2014, the public welfare requiring it, and shall apply to in the 2014-2015 academic year and academic years thereafter.